

ENTERED

June 24, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SHERMAN D. BROOKS, TDCJ #02217330, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. H-20-1274
§
BRIAN COLLIER, *ET AL.*, §
§
Defendants. §

ORDER OF DISMISSAL

Plaintiff, a state inmate at the time of filing, filed this *pro se* section 1983 lawsuit seeking monetary damages and injunctive relief. He claimed in his lawsuit that prison officials at the Luther Unit were refusing to provide adequate safety measures to control the spread of COVID-19, especially as to elderly and infirm inmates, or to release high risk inmates from confinement.

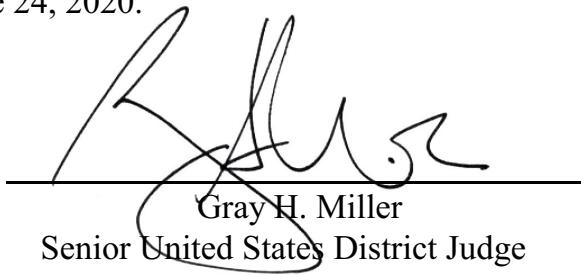
Plaintiff filed this lawsuit on April 8, 2020, while he was incarcerated at the Luther Unit. Public records for the Texas Department of Criminal Justice show that plaintiff is no longer incarcerated. Consequently, plaintiff's request for injunctive relief as to COVID-19 safety measures at the Luther Unit, or for his release from confinement at the Luther Unit, is DISMISSED AS MOOT.

Plaintiff has not notified the Court of his current address of record. Plaintiff's failure to keep the Court apprised as to his address of record leads this Court to conclude that he no

longer intends to prosecute this lawsuit. Pursuant to Federal Rule of Civil Procedure 41(b), this case is DISMISSED WITHOUT PREJUDICE for plaintiff's failure to prosecute. Any and all pending motions are DISMISSED AS MOOT.

This lawsuit will be reinstated, *sua sponte*, should plaintiff file a notice of change of address with the Court within twenty-eight days from date of this dismissal order.

Signed at Houston, Texas, on June 24, 2020.



Gray H. Miller
Senior United States District Judge